



## Fiqh of diversity in the frame of tolerance as a pillar of Indonesian integrity

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### ABSTRACT

This article discusses the construction of diversity jurisprudence in the context of tolerance as a pillar of the integrity of the Unitary State of the Republic of Indonesia. By exploring fiqh thoughts from various schools of thought, the importance of tolerance in caring for the diversity of religions and beliefs in Indonesia. The focus is on how understanding fiqh can be the basis for tolerance in heterogeneous religious life in Indonesia. This research is a literature study that uses qualitative methods. The approach used is descriptive analysis to describe research objects based on facts in the literature. This method allows for an in-depth study of the subject under study. The findings of this research state that 1) An attitude of tolerance and openness in responding to differences of opinion in jurisprudence is an integral part of universal Islamic teachings. 2) The Prophet implemented a pattern of resolving differences of opinion respectfully, where each party has arguments that are respected and considered fairly. 3) The importance of dialogue, open discussion and empathy in dealing with differences of opinion as part of the rich and diverse Islamic intellectual tradition. 4) An attitude of tolerance towards differences in jurisprudential opinion has a significant impact on the harmony and unity of religious communities in Indonesia. The implications of this research include building awareness of the importance of tolerance in maintaining the integrity of the country, strengthening the foundations of an inclusive nation, and avoiding potential conflict in a diverse society.

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### Introduction

Indonesia, with all its rich culture, (Yudha, 2020) religion, (Adji et al., 2021; Paais, 2021) and ethnicity, (A, 2019) (Afandi Munif, 2018) has become home to various groups of people. However, this diversity has also been a source of conflict and tension in the history of this country (Darmalaksana, 2018) (Kaunang & Tafonao, 2023) . In facing this challenge, it is important to strengthen the values of tolerance and diversity, especially in the context of Islamic jurisprudence which underlies Indonesian society (Mukhlis, 2016) . As a country with the largest Muslim population in the world, (Prameswari et al., 2022) Indonesia has a big responsibility to maintain inter-religious and inter-group harmony in its society. One way to achieve this is through the actualization of tolerance in the context of diversity jurisprudence,



which is often referred to as khilafiyah jurisprudence. Khilafiyah jurisprudence refers to differences of opinion between scholars on certain matters in the Islamic religion. It covers various points of view on rituals, laws, and procedures for worship. The actualization of tolerance in khilafiyah fiqh is important because it allows recognition and respect for differences in views, without sacrificing the core principles of religion (Halim & Akbar, 2022)

In the Indonesian context, where there are various Islamic sects and schools of thought, as well as a diversity of other religions, the actualization of tolerance of diversity jurisprudence can be a strong foundation for the development of an inclusive and just society. This allows every individual and group to practice their religious beliefs and practices without fear of becoming a marginalized minority. However, to make this happen, collective awareness and commitment from all Indonesian people is needed. Education about the values of tolerance and respect for differences must be instilled from an early age, both in the school environment and in the community. Apart from that, it is also important to involve religious and community leaders in promoting messages of tolerance and peace. They have a very important role in shaping the attitudes and behavior of their people towards diversity (Jatmiko, 2023).

The big challenge in actualizing tolerance of diversity jurisprudence is the existence of attitudes of intolerance and radicalism that are still widespread in society (Alim & Munib, 2021) (Idrus Ruslan, 2010) (Jatmiko, 2022). Therefore, joint efforts are needed from the government, civil society institutions, and all elements of society to overcome the roots of this intolerance (Musyafak & Nisa, 2020) (Noor et al., 2023). Apart from that, the role of mass media is also very important in promoting constructive narratives about tolerance and pluralism. The media has great power in shaping people's opinions and attitudes, so they must be responsible for the content they present (Marbun, 2023). In a political context, it is important for leaders to promote messages of tolerance and diversity as part of the national agenda (Triana, 2023). Leadership that is inclusive and supports social justice can be the key to building a harmonious and peaceful society.

Muslims in the current era live in a plural social setting, with different views, thoughts and opinions, so fiqh should be developed in the direction of how to answer the problem of plurality while still upholding the universal values of Islamic teachings as rahmatan li al-âlamîn (Idrus Ruslan, 2010). It is time for jurisprudence that is full of suspicion, intolerance and discrimination towards other communities to be read critically as a historical product that is very likely to be changed. As long as it does not conflict with the Koran and Sunnah. So, to develop a tolerant character in responding to differences, four exercises are needed, namely: exercise of the heart (spiritual and emotional development), exercise of thought (intellectual development), exercise (physical and kinesthetic development) and exercise of feeling and will (affective). and creativity development). By using the four practices above, differences will become beauty, peace and harmony in responding to the framework of differences (Ikhtilaf) in all fields in general, and especially in the field of madzahib al-fiqhiyyah (school of jurisprudence). The problem in this research is how the concept of tolerance in the jurisprudence of diverse schools of thought in building harmony and integrity of the unitary state of the Republic of Indonesia.

Based on the background and research problem formulation that has been stated above, the aim of this research is to analyze the concept of tolerance in the jurisprudence of diverse schools of thought in building harmony and integrity of the unitary state of the Republic of Indonesia. It is hoped that the usefulness of this research can enrich the knowledge of law, especially Islamic law in the field of Islamic law.

The word intolerance comes from the prefix "In" which means "no, and not" while the basic word "Tolerance" which linguistically means the word tolerance comes from the Arabic tasyamukh which means mercy, forgiveness and tolerance. In English, tolerance comes from the word tolerance, namely an attitude of allowing, recognizing and respecting differences with other people, whether in matters of opinion, religion/belief, or in economic, social and political terms. (Kamaluddin et al., 2021)

Meanwhile, in terms of terminology, according to Umar Hasyim, tolerance is giving freedom to fellow humans or fellow citizens to carry out their beliefs or regulate their lives and determine their own fate, as long as in carrying out and determining their attitudes it does not violate and does not conflict with the basic requirements. creating order and peace in society. (Anggraeni & Suhartinah, 2018) According to WJS Purwadarminta in the General Indonesian Dictionary, tolerance is an attitude/character of being tolerant in the form of respecting and allowing an opinion, opinion, view, belief or anything else that is different from one's own position. (Prameswari, 2017)

Based on these definitions, it can be concluded that tolerance is a person's attitude or behavior to give freedom to other people and understand these differences as recognition of human rights. Thus, religious tolerance is giving every individual freedom to cover issues of religious belief. A person must be given the freedom to believe in and embrace the religion (akidah) of their choice as well as pay respect for the implementation of the teachings adopted or believed by others. Religious tolerance means a person's open-hearted attitude to respect and allow religious adherents to carry out their worship according to the teachings and provisions of their respective religions that they believe in without interference or coercion, either from other people or from the family.

From all the terms above, it can be concluded that Intolerance is the opposite attitude of all the principles contained in Tolerance, namely a person's inability to restrain themselves and dislike other people, an attitude of interfering in other people's affairs and opposing other people's attitudes or beliefs, and deliberately disturbing others. Ikhtilaf has several meanings in terms of etymology and terminology. Etymologically, the word Ikhtilaf comes from the Arabic *ikhtalafa-yakhtalifu-Ikhtilafan* which means dispute (Ihsan, 2020). The opposite word of Ikhtilaf is *ittifaq* (agreement, conformity) (Almuyassar, 2021). This word can also be found in the Koran, including in Surah Maryam verse. In *the Big Indonesian Dictionary* (KBBI) the word Ikhtilaf is defined as a difference of opinion or disagreement of thoughts (Nurainiah, 2020). Meanwhile, in terms of terminology, Ikhtilaf is the difference that occurs among ulama (mujtahid) in understanding a sharia text (al-Qur'an and hadith), in order to affirm the truth. The meaning of the word Ikhtilaf, whether from a review of etymology or terminology, both meanings pivot on one point, namely differences and disputes. Both words contain negative connotations which indicate quarrel, division, dispute and hostility.

## Method

This research is a library study focusing on literature review. This type of research is qualitative, allowing for an in-depth analysis of the subject under investigation. This method is utilized to explore various aspects of the research object in detail (Syaiful, 2023). The approach used in this research is a descriptive analysis approach, which aims to describe or depict the current state of the research object based on the facts presented in the literature (Nashihin, 2019). By employing this approach, the study can provide a comprehensive and accurate depiction of the research object, grounded in the data and information available from literary sources.

## Results and Discussion

### Factors Causing Intolerance

There are many factors that trigger intolerance. Summarized from various sources, here are several factors that cause intolerance in people's lives. First, Globalization. Globalization is a broad, unlimited life process that encompasses all aspects of life, such as political, economic, social, and so on. Globalization is the main factor causing the emergence of intolerance in modern society. The development of the global situation has caused the erosion of eastern values, one of which is tolerance. Second, the development of social media. The development of social media means that acts of intolerance can be spread easily. Therefore,

everyone must anticipate the negative impact of social media by providing education about the importance of tolerance. (Latipah & Nawawi, 2023)

Third, Differences in Customs. Differences in customs can also trigger cases of intolerance. This customary factor can cause conflicts based on tribal fanaticism. Fourth, Differences in Understanding. Another factor causing intolerance is differences in understanding teachings textually. For example, a group considers its group to be the most correct, while the others are misguided. Fifth, the habit of interfering with or opposing other people's beliefs. Intolerance is also triggered by frequently interfering with or opposing other people's beliefs. Beliefs held by other people will be considered wrong if they differ from what they believe.

### **The Goal of Tolerance**

Tolerance plays a very important role in building unity and unity in national and state life. First, establishing harmony and unity. Tolerance between religious communities is an important prerequisite in building harmony between people of various ethnicities, races, ethnicities, cultures and religions. Without tolerance, it may be difficult to create mutual respect, affection and mutual cooperation between religious communities. Second, tolerance helps prevent conflicts between tribes, races, ethnicities, cultures and religions. By understanding and respecting differences, communities can resolve disputes peacefully and avoid potentially detrimental tensions. Third, prioritizing the benefit of the people (Sinaga et al., 2023).

Tolerance is emphasized as part of efforts to achieve the benefit of the people as a whole. This means that tolerance is not only about respecting individual beliefs, but also about creating goodness and prosperity for society at large. Fourth, overcoming terrorism and radicalism. Tolerance also has an important role in efforts to overcome terrorism, radicalism and other intolerant ideas. By strengthening a culture of tolerance, society can be more effective in rejecting violence and responding positively to the challenges of extremism (Muhamad et al., 2021). Fifth, a correct understanding of religion is important to emphasize that tolerance does not mean recognizing the truth of all religions. However, tolerance is respect for differences in religious beliefs and practices, while still maintaining basic religious beliefs and principles (Musbikin, 2021).

Through a deep understanding of the values of tolerance and the application of these principles in everyday life, it is hoped that society can continue to strengthen inter-religious harmony and build an inclusive and harmonious country for all its citizens through a deep understanding of the values of tolerance and its application. With these principles in everyday life, it is hoped that society can continue to strengthen inter-religious harmony and build a country that is inclusive and harmonious for all its citizens.

The meaning contained in the statement above is that tolerance is an important foundation for the development of unity and integrity in national and state life. Through inter-religious harmony, tolerance enables the creation of mutual respect and mutual cooperation among diverse communities. Furthermore, by understanding and respecting differences, tolerance helps prevent conflict and promotes the benefit of the people as a whole. It also plays a role in overcoming terrorism and radicalism by strengthening a culture of tolerance, as well as in maintaining correct religious understanding as a form of respect for differences in beliefs, while maintaining basic religious principles.

### **Factors Causing Diversity in Jurisprudence (Different Opinions of Islamic Schools of Ulama)**

In the development of Islamic law, *Ikhtilaf* (differences of opinion) regarding the establishment of laws have occurred among the companions of the Prophet. When the Prophet was still alive, differences of opinion could immediately be reconciled by returning it to the Prophet *ullah saw*. Among the companions after the Prophet died, differences of opinion often arose in determining the law on certain issues (Achmad Jarchosi, 2020) (Akbar et al., 2024).

The development of Islamic law did involve various differences of opinion among the companions of the Prophet Muhammad ﷺ. When Rasulullah was still alive, his friends often

discussed legal issues and came to him to get explanations or fatwas (legal opinions). Rasulullah himself was the main authoritative source in establishing laws, and his companions greatly respected his authority and knowledge.

However, after the death of the Prophet Muhammad ﷺ, there was a change in dynamics in establishing laws. The surviving companions, despite having a deep understanding of Islamic teachings, often had different interpretations of religious texts and certain situations. This results in the emergence of *Ikhtilaf* (differences of opinion) in determining the law on specific issues.

Islamic law experts differ in classifying the number of factors that cause *Ikhtilaf*. Muhammad Abdul Fath al-Bayanuni in his book: *Dirasat fi Al-Ikhtilaf AlFihiyyah* explains that, the origin of differences in jurisprudential laws is due to the emergence of *ijtihad* towards law, especially after the Prophet and his companions died." al-Bayanuni explained, the main factors of difference, namely differences in opinion whether or not there are passages from the Qur'an or hadith used, differences in understanding a passage, differences in *jama'* and *tarjih methods*, differences in the rules of *ushul fiqh* and sources. law.

Meanwhile, Taha Jabir in his book *Adabul Ikhtilaf* explains that there are four types of factors that cause *Ikhtilaf*, namely language factors, sunnah narration factors, rule factors and *istinbath methods*. In contrast, Mahmud Syaltut stated that, *Ikhtilaf* among the ulama occurs due to several reasons that are difficult to avoid, namely: the Koran contains words that have double meanings (*musytarak*), such as the word *quru'*. The word *quru'* means holy and menstruation. Imam Abu Hanifah is of the opinion that a woman who is divorced by her husband must observe three menstrual periods. (Faisal, 2019)

On the other hand, Imam Syafi'i believes that women who are divorced by their husbands must perform the holy *Iddah* three times. The Koran also contains the words *Hakiki* and *Majazi*. Scholars often have differences of opinion in determining the law when dealing with the first words, essence and *majaz*. Second, differences in time, place and cases faced. Not all cases faced by ulama have legal texts. So they have to make *ijtihad*. When carrying out *ijtihad*, scholars use methodologies that are not necessarily the same from one another, giving rise to different laws.

Third, History. The scholars are not at the same level in accepting the hadith of the Messenger of Allah. This problem is caused by the difference in the number of friends that can be found. Meanwhile, the companions were also not at the same level in hearing the hadith from the Prophet. There are friends who only hear one hadith and there are tens, hundreds and even thousands of hadiths. So there are hadiths that reach some scholars and not others. Fourth, different in using *ushul* rules in establishing laws. Fifth, different propositions used, such as *istihsan*, *maslahah murlah*, *qaul sahaba*, *'uruf*, and so on. Sixth, differences in the intellectual capacity of each ulama. (Amil Hikam Assaaf & Putri Kurnia Febriyanti, 2023)

From the description above, it can be understood that the problem of *khilafiah* is a problem that is always actual in the reality of human life, because there is a power of thinking that is possessed which causes people to think dynamically in establishing a law. It can be concluded and grouped into four main reasons, namely: 1. Differences of opinion regarding *the validity of a Sharia* argumentative text as *evidence*; 2. Differences of opinion in interpreting certain *syar'i dalil texts*; 3. Differences of opinion regarding several rules of *ushul fiqh* and several propositions of *syar'i law* (in matters for which there are no *texts*), such as *qiyas*, *istihsan*, *mashalih murlah*, *'urf*, *saddud-dhara'i*, *syar'u man qablan* a, and others. 4. Differences of opinion that are motivated by changes in situations, conditions, places, society, and the like. And there are many more expert opinions regarding the causes of these differences of opinion.

### Attitudes and Ethics in Facing Fiqh Diversity

An open and tolerant religious pattern is basically one of the characteristics of universal Islamic teachings. (Arafah, 2020) This is because the discourse of tolerance and intolerance has been an Islamic discourse, especially in Indonesia, for a long time. Its



heterogeneous society with many religions and beliefs encourages the need for harmony between religions. Likewise, within the body of Islam, tolerance is not only needed between religions, but also between Islamic groups of various sects.

The term tolerance in Latin is called *tolerare*, which can mean restraint, allowing people to have opinions, being open-minded towards other people's views. An attitude of tolerance does not mean condoning views or sects that are tolerated, but rather recognizing the freedom and human rights of its adherents. (Sinaga et al., 2023) the development of tolerant character behavior in responding to *Ikhtilaf* problems can basically be seen in the context of the totality of psychological and socio-cultural processes which are combined into four processes, namely: thought process, heart exercise, exercise, and feeling process. (Sinaga et al., 2023)

1. An open attitude towards diversity, a person can understand and appreciate differences in views in jurisprudence, as explained by Ruswandi who emphasizes the importance of ethics in responding to differences in jurisprudence, including not absolutely rejecting or supporting issues that are still debated *ijtihadiah*. (Ruswandi et al., 2022)
2. On the other hand, Malik bin Anas, founder of the Malikiyah School, also emphasized the importance of respecting freedom of opinion and differences, and opposing attempts at uniformity through the policies of the authorities. This is illustrated by Imam Malik's rejection of Caliph Harun al-Rasyid's proposal to hang the book *Al-Muwatta'* above the Kaaba so that everyone would follow or refer to it. Imam Malik rejected this action on the grounds that Rasul Ullah's friends had different opinions. This attitude shows a rejection of absolute justification for his work, thereby maintaining diversity of opinion as part of the wealth of the Muslim community. Thus, this attitude is an example of open thinking in accepting differences of opinion in *Ikhtilaf*.
3. Attitude of respect for people's opinions. Respecting other people's opinions is an empathetic attitude that arises from exercising the heart in responding to differences. This is exemplified by the Imam sect of scholars whose knowledge is widely known and acknowledged as having been able to demonstrate a mature attitude of tolerance and high objectivity. They continue to base their opinions by referring to the Koran and Hadith, do not impose opinions and are always ready to respect feelings and thoughts and accept the truth from whoever the source is. This is what they adhere to as a form of the principle of relativity of human knowledge. This means that they realize that absolute truth belongs only to Allah SWT, and they never position their opinion as the most valid and obligatory to follow. As Imam Syafi'i said very popularly, "my opinion is right, but it has the possibility of being wrong. Meanwhile, other people's opinions are wrong, but have the possibility of being right." Therefore, an empathetic attitude towards the feelings and thoughts of other people must be instilled in a person in observing differences (*Ikhtilaf*).
4. An objective attitude in facing differences in jurisprudence. An attitude of objectivity is a behavior that must be maintained in assessing differences. Maintaining one's own opinion and not accepting other people's views, or even not hesitating to bring down one's opponents by raising personal issues and using insulting language, is an intolerant attitude that should not be maintained. (Ni'mah, 2022)

### **Realization of Attitudes and Ethics in Facing Differences in Jurisprudence in the Prophet's Era**

Rasul ullah SAW exemplified an ethical attitude in dealing with differences of opinion by listening carefully to all the different views of his friends. He always considered various points of view before making a decision, choosing the best and most beneficial from among them. This is evident from various events in history that show Rasul Ullah's inclusive and wise approach to differences of opinion. From the verses and hadith, it shows that differences during the Prophet's time were resolved through deliberation. The example shown by the Prophet saw from the hadith narrated by Imam Bukhari and Imam Muslim narrated from Abdullah bin Umar, which means:

*Meaning: From Ibn Umar said: The Prophet said to us when we returned from Azhab (that no one should pray Asr prayer except in the village of Banu Quraizah. Then some of them found Asr time in the middle of the road, so some of them said: "We don't pray until we get there." Another said: "Even if we pray right now, that's not what he wants from us."*

Based on the above hadith, it can be concluded that the Prophet did not criticize any of the opposing parties with the words bid'ah, deviant, infidel, etc., he did not even criticize one of them. Each side has an argument. Friends who pray Asr in the middle of the road are not disobeying the Prophet, but they are trying to pray at the beginning of the time as commanded by Allah SWT and His Messenger. The friends who prayed later in the Bani Quraizah village also did not violate the command to pray at the beginning of time, but they followed the Prophet's orders above.

### **Realization of Attitudes and Ethics in Facing Fiqh Differences Among Islamic Schools of Imams**

Imams of the sects praise each other, even though they have different opinions. They respect each other, and respect differences of opinion. Several examples of this statement can be seen and expressed below. Imam Abu Hanifah. The friends of Imam Hanafi and Imam Syafi'i, as well as other imams, are of the opinion that it is obligatory to recite basmalah in prayer. Because basmalah is one of the verses in Surah Al-Fatihah. Traditionally, in the city of Medina, congregational prayers are held with Imams of the Maliki school of thought. When Hanafi and Shafi'i followers pray following the Imam of the Maliki school of thought, they don't question it. (Basri et al., 2023)

Then the scholars only denied the matters agreed upon by the priests. As for cases that are still in dispute, there cannot be any denial there. Because based on two points of view every mujtahid is right. This is the attitude chosen by the majority of research scholars (muhaqqiq). Meanwhile, another view says that there is only one right, and we don't know for sure what is wrong, and his sin has been lifted." Imam Nawawi's statement explains that, what can be denied is only what clearly contradicts the qath'i (certain text) and ijma'. As for the issue of ijtihadiyah, they cannot annul/cancel each other. (Bin Salih Qudaisy, 2022)

Ibn Taymiyah said: "If every time two Muslims who have different opinions on a problem distance themselves from each other and become enemies, there will certainly not be the slightest bond of brotherhood left between the Muslims." Ibn Taimiyah's statement emphasized that differences of opinion do not give rise to hostility among Muslims and are not a way to break ties of brotherhood.

The imams of the madhhab not only respect the opinions of other madhhab, they even praise each other, among them Imam Syafi'i praises Imam Abu Hanifah, namely: Imam Syafi'i : whoever wants to know the science of jurisprudence, then it depends on Abu Hanifah, who If you want to know history, then rely on Muhammad Ibn Ishaq. And whoever wants to know the hadith, then, depends on Imam Malik and whoever wants to know the tafsir, then depends on Maqatil bin Sulaiman."

Imam Syafi'i also praised Imam Malik, this statement can be seen below; Imam Syafi'i said: when a hadith comes from Imam Malik, then it is like a star, whoever wants it, then, he is included in the Malik family. Likewise, Imam Ahmad bin Hanbal praised Imam as- Shafi'i. In a history it is stated, namely; Muhammad bin Harun al-Zanjani said, Abdullah bin Ahmad said: I said to my father (Ahmad bin Hanbal, 2020), who is Shafi'i, so you pray a lot for him. Ahmad bin Hanbal said, O my son! He is like the sun to the world, health to humans. What can replace those two things?

While Imam bin Abdil Barr in his book; Jami' Bayanil Ilmi Wa Ahlihi mentions several famous ulama's expressions, including Imam Qatadah RA which reads: "Whoever does not recognize differences of opinion, then he has not smelled jurisprudence with his nose." Likewise, al-amidi mentioned the words of Imam Sa'id bin Arubah in almuwafaqah, with the words: Sa'id bin Arubah said: "Whoever has never heard of differences of opinion, then do not

consider him to be a pious person." Imam Uthman bin Atha' narrated from his father that he said, which means: it is not appropriate for someone to give a fatwa to humans so that he knows very well the differences of opinion that exist. Because if this is not the case, then he will reject knowledge that has stronger arguments.

From various information and the history of the development of Islamic law, it shows that differences of opinion since the time of the Prophet Muhammad, the time of the Companions, the Tabi'in up to the time of the Imams of the sect have continued, remaining in an atmosphere of harmony, mutual respect, mutual praise and tolerance. The history of the development of Islamic law indicates that differences of opinion have been an integral part of the Islamic scientific tradition since the time of the Prophet Muhammad, continuing through the time of the companions, the tabi'in, up to the time of the school imams. In this time span, there have been various views and interpretations of Islamic teachings that have emerged from different social, cultural and environmental contexts. Nevertheless, an atmosphere of harmony, mutual respect and tolerance continues to be maintained, reflecting the values of unity and diversity within the Muslim Ummah.

When the Prophet Muhammad was still alive, his companions often had differences of opinion in understanding and implementing Islamic teachings. Despite this, they still maintain harmonious relations and mutual respect for each other, because the unity of the people and common interests always take priority over individual differences. The friends often praised each other for their dedication and courage in upholding Islamic teachings. This tradition of differences of opinion continued during the tabi'in period, where the next generation of Islamic scholars and scholars continued the intellectual legacy left by the friends. They expand discussions and debates on various issues of Islamic law and theology, while maintaining harmony and tolerance between people. These diverse views are part of the intellectual wealth of Muslims, demonstrating the importance of respecting differences in achieving a deeper understanding of religious teachings.

Then, the time of the school of thought priests was a period where differences of opinion became increasingly structured and recognized in the forms of different schools of law. Even though the imams of the madhhab have different opinions in the interpretation of Islamic law, they still maintain harmony and tolerance, and respect each other's intellectual heritage. This reinforces the importance of dialogue, open discussion and empathy in dealing with differences of opinion as part of the rich and diverse Islamic intellectual tradition.

### **The Concept of Tolerance in the Jurisprudence of Diversity of Schools and Their Urgency in Building the Integrity of the Unitary State of the Republic of Indonesia**

The influence of tolerance on religious harmony and unity in Indonesia is very significant. Religious tolerance is tolerance that concerns beliefs related to aqidah, namely an open-hearted attitude to give adherents of religions other than Islam the opportunity to worship according to the provisions of the religion they believe in. In Islam, religious tolerance is necessary to achieve harmony and unity of religious communities. In the context of Indonesia, a country with ethnic, cultural and religious diversity, an attitude of tolerance towards differences in jurisprudential opinion is the main key in maintaining the integrity of the nation. Indonesia is known as a country with a majority Muslim population, but also has a significant religious minority. In this heterogeneous society, mutual respect and acceptance of differences in jurisprudential opinions is the basis for creating peace and harmonious diversity. (Natalia & Saingo, 2023)

As explained by Naurah, the importance of tolerance in treating differences of opinion in jurisprudence is also reflected in the history of Indonesia's diversity. Since the time of the Islamic kingdoms in the archipelago, society has practiced an attitude of tolerance towards differences in religious understanding. In fact, many Islamic kingdoms adhere to different religious beliefs but still live side by side peacefully. This shows that an attitude of tolerance towards differences in jurisprudential opinion has become an integral part of the identity and history of the Indonesian nation. (Luthfiah, 2024)



Ningsih also expressed the same thing that by implementing an attitude of tolerance towards differences in fiqh opinion, Indonesia can build a strong foundation in an effort to achieve unity and integrity of the Muslim Ummah and maintain harmony in the nation and state. (Fuady et al., 2021) Concrete steps such as dialogue between religious communities, inclusive learning about tolerance in religious education, and increasing understanding of the values of diversity can be a joint effort to create a peaceful, harmonious and inclusive society.

The concept of tolerance in fiqh has a philosophical depth that leads to recognition and appreciation of the diversity of opinions and interpretations in Islamic teachings. Fiqh as a scientific discipline that studies Islamic laws has a broad scope and is open to varied interpretations, which has given rise to various schools of thought. These schools of thought are the result of different understandings of Islamic legal sources, such as the Koran, Hadith, and analogies. The concept of tolerance in fiqh encourages Muslims to respect the diversity of these schools of thought as a form of depth and intellectual richness in formulating religious laws.

The diversity of schools of thought in jurisprudence not only reflects the dynamics of Muslim intellectual thought, but also represents the rich historical heritage of Islamic civilization. Since classical times, ulama have developed schools of jurisprudence as an effort to overcome the social, cultural and geographical differences that exist in various regions. This shows that tolerance for differences in fiqh is not new, but has become an integral part of the inclusive Islamic scientific tradition. The urgency of tolerance towards the diversity of schools of thought in jurisprudence is very relevant in the context of the Indonesian nation, which is a country with extraordinary religious and cultural diversity. In embracing this diversity, the concept of tolerance towards differences in schools of jurisprudence becomes a strong foundation in building the integrity of the Unitary State of the Republic of Indonesia. By recognizing and respecting the diversity of schools of jurisprudence, Indonesia strengthens its commitment to the principles of a state that is socially just for all Indonesian people without exception.

Tolerance towards different schools of jurisprudence also plays an important role in maintaining social and political stability. By prioritizing mutual respect and understanding, society can avoid conflicts that have the potential to damage national unity and unity. Apart from that, in the context of globalization and modernization, tolerance towards differences in schools of jurisprudence is an important asset in maintaining the identity and continuity of Islamic traditions developing in Indonesia. By building awareness of the urgency of tolerance towards diverse schools of jurisprudence, Indonesia can strengthen a strong and inclusive national foundation. Steps such as developing an inclusive religious education curriculum, strengthening dialogue between schools of thought, and promoting a deeper understanding of the values of tolerance can be concrete efforts to strengthen the integrity of the Unitary State of the Republic of Indonesia amidst the diversity of its society.

## Conclusion

An attitude of tolerance and openness in responding to differences of opinion in jurisprudence is an integral part of the universal teachings of Islam. This attitude is reflected in the understanding and practice of sectarian ulama who respect diversity of views and freedom of opinion, while maintaining integrity and objectivity in assessing these differences. Attitudes of empathy, objectivity and comprehensiveness in understanding and responding to Ikhtilaf are important principles to maintain in maintaining harmony and harmony in a heterogeneous society, in line with Islamic teachings which emphasize the values of tolerance and respect for differences.

A wise ethical attitude in dealing with differences of opinion by listening carefully to all the different views of his friends. He always considered various points of view before making a decision, choosing the best and most beneficial from among them. The example set by

Rasulullah SAW shows an inclusive and wise approach to differences of opinion, where resolution is carried out through deliberation and mutual understanding, without criticizing or blaming either party. This illustrates that in Islam, the resolution of differences of opinion is carried out with full respect, where each party has arguments that are valued and considered fairly.

Differences of opinion in Islam, which began during the time of the Prophet Muhammad, continued through the time of the Companions, the Tabi'in, and up to the time of the school imams, have become an integral part of the scientific heritage of Muslims. Even though there are various views and interpretations of Islamic teachings that emerge from different social, cultural and environmental contexts, an atmosphere of harmony, mutual respect and tolerance continues to be maintained. This reflects the values of unity and diversity within the Islamic ummah, and emphasizes the importance of dialogue, open discussion and empathy in dealing with differences of opinion as part of the rich and diverse Islamic intellectual tradition.

An attitude of tolerance towards differences in jurisprudential opinion has a significant impact on the harmony and unity of religious communities in Indonesia. This tolerance does not only include aspects of faith, but also includes respect for differences in interpretation in jurisprudence. The history of Indonesia's diversity, which is reflected in an attitude of tolerance since the time of the Islamic kingdoms in the archipelago, emphasizes that religious unity and harmony can be realized through mutual respect and acceptance of differences. The concept of tolerance in fiqh also strengthens the identity and continuity of Islamic traditions in Indonesia, and plays an important role in maintaining social and political stability. By strengthening awareness of the urgency of tolerance towards diverse schools of jurisprudence through concrete steps, Indonesia can build a solid and inclusive foundation to maintain the integrity of the Unitary State of the Republic of Indonesia amidst the diversity of its society.

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